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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH**

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**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**KENNETH FRANKLIN HUXHOLD,**

**Defendant.**

**MEMORANDUM DECISION  
AND ORDER**

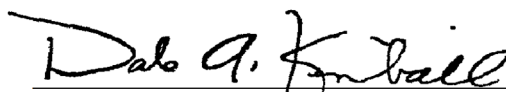
**Case No. 2:18-CR-367-DAK**

**Judge Dale A. Kimball**

This matter is before the court on Defendant's Motion to Request Reduction of Sentence under the First Step Act, 18 U.S.C. § 3582(c) [ECF No. 37]. Defendant requests that the court grant him a compassionate release from custody due to Covid-19. The First Step Act, 18 U.S.C. § 3582(c)(1)(A), allows a federal prisoner to file a motion with the court to reduce the defendant's term of imprisonment after the defendant has exhausted administrative remedies with the BOP. Defendant, however, has not alleged or submitted evidence that he filed a motion for compassionate release with the BOP. If and when Defendant can demonstrate that he has made a request for compassionate release to the BOP under the First Step Act and it has been denied or thirty days have passed from receipt of the request by the warden of his facility, Defendant can bring a new motion in this court. However, Defendant's present motion [ECF No. 37] does not meet those requirements and is DENIED.

Dated this 25th day of January, 2022.

BY THE COURT:



DALE A. KIMBALL

United States District Judge